

PROB 12A
(7/93)

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: David Charles Wilkie

Cr.: 17-00175-001
PACTS #: 63940

Name of Sentencing Judicial Officer: HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE, CD/CA

Name of Newly Assigned Judicial Officer: HONORABLE KEVIN MCNULTY
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: October 21, 2013

Original Offense: Count 1: Conspiracy to Transport, Receive and Possess Child Pornography
Count 8: Transportation of Child Pornography

Original Sentence: 63 months in custody; supervised release for life

Special Conditions: Special Assessment

Type of Supervision: Supervised Release Date Supervision Commenced: 10/28/2016

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 On June 9, 2021, Mr. Wilkie submitted to a polygraph examination conducted by Polygraph Alliance, LLC. Three (3) questions were asked on the polygraph exam, one of which rendered a result of no opinion/inconclusive. Specifically, the question was, *"Since your last polygraph exam, other than incidental or that permitted by probation, have you had contact of any kind with a child under age 18?"*

Upon questioning, Mr. Wilkie admitted that he had maintained telephone contact with the girlfriend of a convicted sex offender, Z.S., which he met while he was incarcerated at FCI Fort Dix. Mr. Wilkie explained that she had recently sent him photos of their children. The undersigned officer reviewed the images and the children were fully dressed. After a lengthily conversation, Mr. Wilkie deleted the text messages and erased the contact. We engaged in a long discussion of prohibited contact with convicted felons, either directly or indirectly, and the appearance of receiving photos of a sex offender's children to his cell phone. Mr. Wilkie said he may have failed the aforementioned polygraph question based on these images. As such, we agreed to provide several months between another polygraph examination.

On October 13, 2021, Mr. Wilkie submitted to another polygraph examination at Polygraph Alliance, LLC. Two (2) questions were asked on the polygraph exam, both of which rendered a result of significant reaction. Specifically, the following questions were asked: *"Since your May 2020 polygraph exam, besides what you said, can't remember or incidental, have you had contact with a child under age 18?"* and *"Since your May 2020 polygraph exam, besides what you said, can't remember or incidental, have you had contact with a child under age 18?"*

Mr. Wilkie denied any further contact with the wife of Z.S. and adamantly denied contact with minors. He stated he has no plausible justification for the significant reaction caused by the questions.

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On October 20, 2021, a consented manual inspection of Mr. Wilkie's cellular phone and post-polygraph interview was conducted. Mr. Wilkie admitted he continues to maintain contact with family members of at least two additional individuals convicted of serious sex offenses, B.A. and A.C. He was instructed to discontinue any contact with these individuals and agreed to comply. We will continue to closely monitor Mr. Wilkie's compliance with the above.

U.S. Probation Officer Action:

Based on the polygraph examiner's professional opinion, a validity test may be appropriate to determine Mr. Wilkie's truthfulness to the above questions. Our office continues to closely monitor Mr. Wilkie's devices and compliance with Megan's Law registration. He successfully completed sex offender treatment in April 2021 and continues to attend mental health treatment for anxiety and depression. His counselor is aware of the failed polygraph examinations and contact with convicted sex offenders. We respectfully request no formal Court intervention at this time.

Respectfully submitted,

SUSAN M. SMALLEY, Chief
U.S. Probation Officer



By: IVETTELIS PEREZ
Senior U.S. Probation Officer

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APPROVED:

Suzanne Golda-Martinez
SUZANNE GOLDA-MARTINEZ
Supervising U.S. Probation Officer

10/22/2021

Date

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- ☒ No Formal Court Action to be Taken at This Time (as recommended by the Probation Office)
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

/s/ Kevin McNulty

Signature of Judicial Officer

10/25/2021

Date